MAR 0 7 2083-rifficate Under 37 CFR 1.8(a)

I her how certify that this correspondence is being deposited with with the United States Postal Service with sufficient postage as read to class mail in an envelope addressed to: Commissioner for Patents, Washington, D. C. 2027 on March 3, 2003

Attorney: Lawrence A. Steward, Atty. Reg. No. 32,309

MAR 1 1 2003
TECHNOLOGY CENTER R3700

### **PATENT**

Our Case No. 9793/035 BMID 9977

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of      | )                     |
|---------------------------|-----------------------|
| ••                        | ) Group Art Unit 3736 |
| Martin Gerber et al.      | )                     |
|                           | ) Examiner: Unknown   |
| Serial No.: 09/810,635    | )                     |
| •                         | )                     |
| Filed: March 16, 2001     | )                     |
|                           | )                     |
| For: SUBCUTANEOUS ANALYTE | )                     |
| SENSOR                    | )                     |

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The Commissioner for Patents Washington, D. C. 20231

Dear Sir:

Pursuant to the duty of candor and good faith required of each individual associated with the filing and prosecution of a U.S. patent application, Applicants hereby disclose the references listed on the attached forms PTO/SB/08A and PTO/SB/08B. A copy of each of the references listed on the attached forms PTO/SB/08A and PTO/SB/08B is enclosed. Applicants request that these documents be considered and made of record in this application.

The references listed on this Supplemental Information Disclosure were recently made known to the Applicants by way of an International Search Report (copy enclosed) that was filed in International Application No. PCT/EP02/02960. The relevance of the documents is set forth in the International Search Report. This Supplemental Information Disclosure Statement is being filed before the mailing of the first Office Action on the merits and no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Serial No.: 09/810,635 Filed: March 16, 2001

In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the references disclosed are, or are considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,

Lawrence A. Steward Attorney Reg. No. 32,309

LAS/cbw

Attachments: Form PTO/SB/08A

Form PTO/SB/08B Copies of References

International Search Report

**BRINKS HOFER GILSON & LIONE** 

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| Please the a plus sign (#Whiside this box → | +                          | PTO/SB/08A (08-00)<br>Approved for use through 10/31/2002, OMB 0651-0031   |
| TRADEMARK                                   | no persons are required to | U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE or respond to a collection of information unless it contains a valid OMB control number. |

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|                        | Substitute for for     | orm 1449/         | <b>√</b> PTO         | Application Number     | 09/810,635         | AP.     |             |
| INFORMATION DISCLOSURE |                        | Filing Date       | March 16, 2001       |                        | P.                 |         |             |
|                        | STATEMENT BY APPLICANT |                   | First Named Inventor | Martin Gerber et al.   | MAD                | YV.     |             |
| SIA                    | EMENIE                 | SY AP             | PLICANI              | Group Art Unit 3736    |                    | 4. 1    | , 50        |
| (u:                    | se as many she         | eets as ne        | cessary)             | Examiner Name          | Unknown            | MOLOGY_ | 2002        |
| Sheet                  | 1                      | of                | 1                    | Attorney Docket Number | 9793/035 BMID 9977 | CEN     | <del></del> |
|                        |                        |                   |                      | U.S. PATENT DOCUMENTS  | S                  |         | ER R3700    |

### **U.S. PATENT DOCUMENTS**

|                       | U.S. PATENT DOCUMENTS |             |                                      |   |                           |  |  |
|-----------------------|-----------------------|-------------|--------------------------------------|---|---------------------------|--|--|
|                       |                       | U.S. Patent | Document                             |   | Date of Publication of    | Pages, Columns, Lines,<br>Where Relevant |  |
| Examiner<br>Initials* | Cite<br>No. 1         | Number      | Kind Code <sup>2</sup><br>(if known) | Name of Patentee or Applicant of Cited Document | Cited Document MM-DD-YYYY | Passages or Relevant<br>Figures Appear   |  |
|                       | 1                     | 5,926,269   |                                      | Von Der Eltz et al                              | 07/20/1999                |  |  |
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#### **FOREIGN PATENT DOCUMENTS**

|                       |               | Fore                | eign Patent Docur | nent              |  |  | Pages, Columns, Lines,                                   |                |
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| Examiner<br>Initials* | Cite<br>No. 1 | Office <sup>3</sup> |                   | l Code ⁵<br>nown) | Name of Patentee or<br>Applicant of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|                       | 2             | DE                  | 19540456          | A1                | Buschmann  | 05/07/1997   |  | N              |
|                       | 3             | wo                  | 00/13003          |                   | Sensors for Medicine and Science, Inc.             | 03/09/2000   |  | Z              |
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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| Please type a plus sign (a) iside this box | → +                         | PTO/SB/08B (08-00)  Approved for use through 10/31/2002, OMB 0651-0031  U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE |
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|---|---------------|---|----------------|------------------------|--------------------|--------------|
| ;   | Substitute fo | or form 1449                              | B/PTO          | Application Number     | 09/810,635         |              |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT |               | Filing Date                               | March 16, 2001 | RECEIVED               |                    |              |
|   |               | First Named Inventor Martin Gerber et al. |                | "FOEINED               |                    |              |
|   |               | Group Art Unit                            | 3736           | MAD                    |                    |              |
| (us   | se as many s  | sheets as ne                              | cessarv)       | Examiner Name          | Unknown            | MAR 1 1 2003 |
| Sheet   | 1             | of  | 1              | Attorney Docket Number | 9793/085 BMID 99ET | HNOLOGY      |
|   |               |   |                |                        |                    | CENTER R3700 |

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. 1 | Include name of the author (in CAPITAL LETTES), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|-----------------------|---------------|--|----------------|
|                       | 1             | KANG, S., LIN, H., DAY, D.E., AND STOFFER, J.O., "Optically transparent polymethyl methacrylate composites made with glass fivers of varying refractive index," <i>Journal of Materials Research</i> , vol. 12, no. 4, 1997.                                   | N              |
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.